

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff

v.

JAY MICHAUD,

Defendant.

NO. CR15-5351RBJ

**GOVERNMENT'S PROTECTIVE
NOTICE OF INTERLOCUTORY APPEAL**

Pursuant to Rule 4(b) of the Federal Rules of Appellate Procedure, to preserve the government's appellate rights, notice is hereby given that, pursuant to 18 U.S.C. § 3731, the United States of America appeals to the United States Court of Appeals for the Ninth Circuit from the Order of the District Court orally announced on May 25, 2016, and reflected in the subsequently filed written order of that date, granting the defense motion to compel and finding, as a remedy for the refusal to comply that the evidence of the NIT, the search warrant issued on the basis of that evidence and the fruits of that search should all be suppressed.

DATED this 23rd day of June, 2016.

Respectfully submitted,

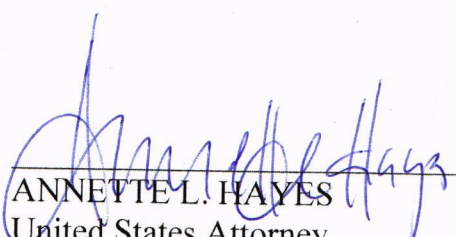
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/s/ Helen J. Brunner
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CERTIFICATION OF THE UNITED STATES ATTORNEY

Pursuant to 18 U.S.C. § 3731, I hereby certify that the appeal in the above-captioned case is not taken for purposes of delay and that the evidence suppressed or excluded by the order of the district court is a substantial proof of a fact material to this proceeding.

Dated this 23rd day of June, 2016.


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CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant.

/s/ Jacqueline Masonic

JACQUELINE MASONIC

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